

MIOSHA

Michigan Occupational Safety and Health Administration (MIOSHA)
Department of Labor and Economic Opportunity (LEO)

AGENCY INSTRUCTION

DOCUMENT IDENTIFIER:

MIOSHA-COM-17-1R2

DATE:

February 4, 2020

SUBJECT: Complaint Processing

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- I. Purpose. This instruction establishes policy and procedure to ensure the timely and consistent handling of complaints received by the General Industry Safety and Health Division (GISHD) and the Construction Safety and Health Division (CSHD).
- II. Scope. This instruction applies to all GISHD and CSHD staff for handling complaints other than MIOSHA employee discrimination complaints.
- III. References. [MIOSHA Field Operations Manual \(FOM\)](#), as amended.
- IV. Distribution. MIOSHA Staff; Federal OSHA; S-drive Accessible; MIOSHA Messenger; and Internet Accessible.
- V. Cancellation. All previous versions of this agency instruction.
- VI. Next Review Date. To be reviewed in three years from date of issuance.
- VII. History. History of previous versions includes:
MIOSHA-COM-17-1R1, August 28, 2019
MIOSHA-COM-17-1, January 4, 2017
- VIII. Contact. [Adrian Z. Rocskay](#), Director, GISHD, and [Lawrence Hidalgo, Jr.](#), Director, CSHD.
- IX. Originator. Barton G. Pickelman, Director
- X. Background. GISHD developed a division instruction on processing complaints in 2006. In 2016, it was determined that CSHD also needed an instruction on processing complaints. An agency instruction on complaint processing has been developed instead of two separate division instructions on complaint processing. This instruction incorporates the 2014 version of the GISHD instruction for complaint processing.
- XI. Significant Change. Updated the Letter Complaint Inspection – Closing Letter to Complainant in Appendix F.
- XII. Definitions.
 - A. Buck Slip – Internal GISHD form used when processing internal complaints. See [Appendix A](#).
 - B. Notice of Alleged Safety or Health Hazards form – form sent to safety officer/industrial hygienist (SO/IH) to initiate an on-site inspection.
 - C. Universal Log – Database with a complaint section that chronicles all complaints handled by the GISHD. The log is an Access database and is accessible to most staff by accessing the shared drive (S drive).
- XIII. Action. MIOSHA CSHD and GISHD Managers, Safety Supervisors, and Health Supervisors shall ensure that the guidelines and procedures set forth in this instruction are followed. All MIOSHA staff involved in processing complaints shall ensure each complaint is acted upon within ten (10) working days of MIOSHA receiving the complaint. Acted upon means that an on-site inspection is opened, a d-letter is mailed, the employer is called on a telephone complaint inspection, a form letter indicating no inspection will be conducted is sent to the complainant, or the complaint is marked “No

Action” and filed in the Lansing office.

- XIV. Identity of Complainant. The identity of the complainant shall be kept confidential unless otherwise requested by the complainant, in accordance with Section 28(3) of the Michigan Occupational Safety and Health Act, Act 154 of the Public Acts of 1974, as amended (Act). No information shall be given to the employer or any other person which would allow them to identify the complainant. When requested by the complainant, a complainant’s name will be revealed during on-site and off-site inspections.
- XV. Procedures for Receiving Complaints. Complaints can be accepted via email, fax, U.S. mail, or the complaint page of the MIOSHA or OSHA website. CSHD accepts complaints via telephone on a case-by-case basis. Complaints of imminent danger situations are accepted via telephone by both divisions.
- A. CSHD. All complaints will be given to the appropriate manager or designated supervisor to process.
- B. GISHD. Basic information about the establishment will be identified and entered onto the buck slip. All complaints will be entered into the Universal Log. The complaint will then be given to the appropriate manager or designated supervisor for processing.
- XVI. Manager/Supervisor Evaluation.
- A. General Evaluation. Based on criteria described in the [MIOSHA FOM](#), the appropriate manager or designated supervisor in each division will evaluate the complaint. If there appear to be valid issues, the manager will determine if the complaint will be assigned as an on-site inspection or as an off-site inspection. If there are no issues, or the complaint is invalid, the appropriate form letter (see [Appendix B](#)) will be sent to the complainant indicating that no inspection will be conducted. If CSHD receives a complaint with GISHD issues, CSHD will transfer the complaint or issues to GISHD, and vice versa.
- B. More Information Required. Some complaints do not provide enough information to make a determination on how to handle the complaint. If there is not enough information to make a determination, the complainant will be contacted by telephone, email, or letter for clarification. If a letter is sent to the complainant, use the More Info Letter in Appendix B in accordance with the instructions in Section C below. Record contacts or attempted contacts and attach them to the written complaint.
- If a complaint is received and there is not enough information to make a determination and there is no complainant information, write “No Action” on the complaint and provide a reason for not responding to the issues.
- C. Complaint Form Letters. Form letters are sent to the complainant (and sometimes the employer) informing him or her that their complaint will not be assigned as an on-site or off-site inspection. Letters shall be sent out within ten (10) working days of MIOSHA’s receipt of the complaint. A copy of each approved form letter can be found in [Appendix B](#). Each letter pertains to a specific circumstance and is

described below. These are the only complaint letters to be used on a routine basis. If a complaint is received about a unique issue not adequately addressed by these form letters, only minor changes may be made to these letters. Otherwise, approval by the division director, manager, or his or her designee is required to send an alternative letter.

When a complaint form letter is sent, the complaint is considered closed. A copy of the letter must be filed with the original complaint, and the complaint must be closed in OIS. In GISHD, the Universal Log must be updated.

1. [Non-Current Employee Letter](#) – Sent to the complainant informing him or her that MIOSHA requires complaints to be submitted by a current employee or designee.
2. [Employee Discrimination Letter](#) – Sent to the complainant to inform him or her that their complaint has been forwarded to the Employee Discrimination Section.
3. [Indoor Air Quality \(IAQ\) Complainant Letter](#) – Sent to the complainant providing him or her with indoor air quality- information. A copy of the letter that was sent to the employer should also be sent to the complainant.
4. [Indoor Air Quality \(IAQ\) Mold Letter](#) – Sent to the employer informing the company of the specific allegations of indoor air quality specifically pertaining to mold. Send IAQ Attachments A and B, which are found in [Appendix C](#). A copy of the letter is sent to the complainant with the IAQ Complainant letter.
5. [Indoor Air Quality \(IAQ\) Ventilation Letter](#) – Sent to the employer informing him or her of the specific allegations of indoor air quality specifically pertaining to ventilation. Send IAQ Attachments A and B. A copy of the letter is sent to the complainant with the IAQ Complainant letter.
6. [More Info Letter](#) – Sent to the complainant informing him or her that we require more specific information in order to process the complaint properly. Send complaint form with the letter.
7. [No Jurisdiction Letter](#) – Sent to the complainant informing him or her that the alleged hazards are not governed by MIOSHA. The letter gives the complainant the governing agency's contact information so they can contact the agency if they choose to do so.
8. [No Violation Letter](#) – Sent to the complainant informing him or her that the alleged hazards do not violate MIOSHA standards.
9. [OSHA Letter](#) – Sent to the complainant informing him or her that their complaint falls under OSHA's jurisdiction and the complaint has been forwarded to the Wisconsin OSHA office.

10. [Prisoner Letter](#) – Sent to the complainant (prisoner) informing him or her that the Michigan Attorney General has declared that prisoners do not fall under MIOSHA jurisdiction. For State of Michigan prisons, the complainant is provided the address of the designated Department of Corrections contact.
 11. [Recent Inspection Issues Letter](#) – Sent to the complainant informing him or her that there was recently an inspection conducted at the establishment on the same issues, and an additional inspection will not be performed. A copy of the recent inspection's citations will be mailed with the letter when available.
 12. [Similar Current Investigation Letter](#) – Sent to the complainant to inform him or her that there is currently an investigation being conducted of the same or similar issues. Upon completion of the investigation, a copy of the findings will be sent to him or her.
 13. [Six-Month Letter](#) – Sent to the complainant informing him or her that an inspection will not be done because the alleged injury, incident, or hazard occurred over six months ago.
 14. [Tobacco Letter](#) – Sent to the complainant to address complaints of secondary tobacco smoke.
 15. [Wage Hour Letter](#) – Sent to the complainant to inform him or her that their complaint has been forwarded to the Wage and Hour Division.
- XVII. Entering Complaints into OIS. Each complaint should be entered into OIS according to each division's OIS procedures and this instruction. Every complaint will be assigned a complaint number, if possible.
- XVIII. Procedures for On-Site Inspections. Within ten (10) working days of receipt by MIOSHA, an opening conference must be held or attempted.
- A. CSHD. The Notice of Alleged Safety or Health Hazards form will be emailed to the SO/IH to whom the inspection is assigned. See [Appendix D](#) for a copy of the form. In a pdf file separate from the form, additional documentation, such as a copy of the original complaint along with all other documentation that came with it and the documentation that was generated during processing, can also be emailed to the indicated SO/IH, as needed. The purpose of emailing the additional documentation is to provide the SO/IH with all the necessary information needed to conduct a successful inspection.
 - B. GISHD. The complaint will be assigned by emailing the Notice of Alleged Safety or Health Hazards form to the SO/IH or district office listed on the buck slip. If the complainant wants his or her identity revealed, the SO/IH or district office will receive the entire Notice of Alleged Safety or Health Hazards form. Otherwise, the SO/IH will not receive the second page, which contains the complainant's name and other identifying information. When the complainant does not want his or her name revealed, the SO/IH may only obtain complainant

identity information by contacting a manager if speaking with the complainant is absolutely necessary to clarify a situation that cannot be clarified otherwise.

- XIX. Closing the On-Site Complaint. When an on-site inspection is performed in response to a complaint, a closing letter and a copy of the inspection findings will be mailed to the complainant as described in the MIOSHA [FOM](#) within five to 20 working days of the citation issuance date. If no citations are issued, the inspection findings will be mailed to the complainant five to 20 working days after the case closed date. A copy of any citation, safety and health recommendation, data sheets, and any other pertinent information will be sent with the letter to the complainant. Copies of the letter to the complainant will be included in the complaint file. See [Appendix E](#) for an example of the letter.
- XX. Procedures for Off-site Complaint Inspections Handled by Letter (Also Known As D-Letters or Letter Complaint Inspections). Staff shall follow the procedures in the MIOSHA FOM, in addition to the following:
- A. A letter (d-letter) shall be sent to the employer advising the employer of the complaint items and the need to respond to MIOSHA within 15 or 30 calendar days. Response deadlines for the employer should be set at 15 or 30 calendar days depending on the seriousness of the allegations and the time required for proper investigation and abatement. See [Appendix F](#) for a sample of the letter to the employer, the complainant, and closing letters. The employer letter shall be sent out within ten working days of MIOSHA's receipt of the complaint. D-letters do not need to be sent via certified mail.
 - B. Concurrent with the letter to the employer, a letter to the complainant shall be sent containing a copy of the letter to the employer. Copies of subsequent correspondence related to the complaint may be sent to the complainant.
 - C. Employer responses to letter investigations shall be reviewed and acted upon within 15 working days of receiving the response. In GISHD, support staff must transfer d-letter files (responses and non-responses) to field staff on at least a weekly basis for their review and action after the response deadline.
 - D. If the employer does not respond within the allotted time (15 or 30 calendar days, as appropriate), telephone contact shall be made with the employer. The employer should be given ten (10) or fewer business days to respond. The telephone contact shall be documented in the file.
 - E. If the employer does not respond to the telephone contact described above, a final notice letter will be sent to the establishment within five working days. Additional telephone contact may also be made.
 - F. If no employer or an inadequate employer response is received, additional contact with the employer may be made before an on-site complaint inspection is scheduled. Ultimately, if the employer provides no response or an inadequate response or MIOSHA determines from other information that the condition is not being corrected, an on-site complaint inspection shall be scheduled.

- G. The complaint will be closed in OIS when MIOSHA is satisfied that documents provided and/or contacts confirm that the hazard(s) have been eliminated or abated. A closing letter will be sent to the employer acknowledging that the alleged hazard(s) have been adequately addressed. A closing letter will be mailed to the complainant notifying him or her that the complaint is closed.
- XXI. Procedures for Telephone Complaint Inspections. Staff shall follow the procedures in the MIOSHA [FOM](#) in addition to the following:
- A. The letter to the employer that acknowledges that the alleged hazard(s) have been adequately addressed and that the complaint is closed must be sent out within ten (10) working days of MIOSHA's receipt.
 - B. Concurrent with the letter to the employer, a letter to the complainant shall be sent containing a copy of the letter to the employer. See [Appendix G](#) for a sample of both the letter to the company and the letter to the employee. The complaint will be closed in OIS, and the Universal Log in GISHD will be updated.
- XXII. Complaint Withdrawal. If a complainant contacts MIOSHA and states that he or she would like to withdraw the complaint he or she filed, documentation will be added to the complaint and a complaint withdrawal letter will be sent to the complainant's address found on the original complaint to confirm that the complaint has been withdrawn. A copy of this letter will be added to the complaint file. If the opening conference has been held and violations are noted, the inspection shall proceed; otherwise, the SO/IH will be instructed not to investigate the complaint. If a d-letter has been sent to the establishment, the investigation will proceed; otherwise, no d-letter will be sent. See [Appendix H](#) for a copy of the complaint withdrawal letter.
- XXIII. Combining/Splitting Complaints.
- A. Multiple Complaints about the Same Employer at Same Location. If multiple complaints are received for the same employer at the same location, from the same complainant, and with identical issues, these complaints are considered duplicates and there is only one complaint number. If there are two or more different complainants, there should be two or more separate complaint numbers even if the issues are the same.
 - B. One Complaint about Multiple Employers and/or Locations. If a single complaint references multiple locations or firms, a complaint number may be assigned for each location and/or employer.
- XXIV. Status Checks from Complainants. If MIOSHA is contacted by someone alleging to be a complainant, and requests to know the status of his or her complaint, including whether or not the complaint has been received, information can only be given as stated below.
- A. If the complaint has been received, but the manager has not yet determined how to handle the complaint, then inform the caller that no information is available at this time. The caller is told that we cannot confirm whether or not a complaint has been received.

- B. If the complaint has been assigned as an on-site investigation and the opening conference has already been held, then it can be confirmed that a complaint has been received and the caller may be informed that there is an on-site investigation in progress, but the complainant's identity cannot be discussed unless the complainant requested that his or her name be revealed.
 - C. If the complaint has been assigned as an on-site investigation and the opening conference has not yet been held, the caller is told that we cannot confirm whether or not a complaint has been received.
 - D. If the complaint is to be handled by letter investigation and the letter has been sent, then it can be confirmed that a complaint has been received and the caller may be informed that it is being investigated by letter complaint procedures, but the complainant's identity cannot be discussed.
 - E. If the complaint is to be addressed by letter investigation or one of the other approved form letters, and the letter has not been sent, the caller is told that we cannot confirm whether or not a complaint has been received.
 - F. If the complaint is to be addressed by one of the approved form letters and the letter has been sent, then it can be confirmed that a complaint has been received and a summary of the information given in the form letter may be discussed; however, complainant identity may not be revealed unless the complainant requested that his or her name be revealed.
 - G. If MIOSHA has no record of receiving the complaint, then the caller may be told that no complaint has been received.
- XXV. Complaint Files. All original complaint files will be filed in the Lansing office after the complaint is closed. Complaints handled by district offices shall remain in the district office until the complaint is closed. Once the complaint is closed, the district shall immediately send the complaint file to the Lansing office.
- XXVI. Universal Log in GISHD. All complaints will be entered into the Universal Log. The Universal Log shall be kept up to date with the current status of each complaint.

Appendix A

BUCK SLIP

MIOSHA GISHD COMPLAINT

NAICS _____

DATE RECEIVED: _____

NAME OF FIRM:

CITY:

COUNTY:

SAFETY OFFICER:

HEALTH DISTRICT: 1 2 3 5 7 CHEM. COMP.

ON-SITE INSPECTION: YES NO

LETTER INSP.: YES NO SAFETY HEALTH 15 DAYS OR 30 DAYS

ON PRIORITY LIST: YES NO

IF ON PRIORITY LIST, CONDUCT WALL-TO-WALL NOW: YES NO

SPECIAL INSTRUCTION:

FLAGGED EMPLOYER'S LOG (MVPP LOG): YES NO

PRIOR COMPLAINT, INJURY/ILLNESS OR REFERRAL: _____

SPECIAL INSTRUCTION:

DATE GIVEN TO MANAGER: _____

DATE: _____ INITIAL: _____

10 WORKING DAYS AFTER MIOSHA RECEIPT: _____

REVEAL COMPLAINANT NAME: YES NO

HEADS UP NOTIFICATION REQUIRED: YES NO

Appendix B

Appendix B consists of samples of the complaint form letters including:

1. [Non-Current Employee Letter - To Complainant](#)
2. [Employee Discrimination Letter - To Complainant](#)
3. [IAQ - To Complainant](#)
4. [IAQ Mold Letter - To Employer](#)
5. [IAQ Ventilation Letter - To Employer](#)
6. [More Info Letter - To Complainant](#)
7. [No Jurisdiction Letter - To Complainant](#)
8. [No Violation Letter - To Complainant](#)
9. [OSHA Jurisdiction Letter - To Complainant](#)
10. [Prisoner Letter - To Complainant](#)
11. [Recent Inspection Issues Letter - To Complainant](#)
12. [Similar Current Investigation Letter - To Complainant](#)
13. [Six-Month Letter - To Complainant](#)
14. [Tobacco Letter - To Complainant](#)
15. [Wage Hour Letter - To Complainant](#)

February 4, 2020

Complaint Processing

NON-CURRENT EMPLOYEE LETTER – TO COMPLAINANT

«Date»

Complaint#: «SO_Nbr__Insp_Nbr»

«Mr_Ms» «First_Name» «Last_Name»

«Address»

«City__State» «ZIP_Code»

Dear «Mr_Ms» «Last_Name»:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against «Company_Name».

MIOSHA has responsibility for operating Michigan’s program governing worker safety and health conditions. The agency has authority to investigate formal complaints received from an employee or an employee representative. According to the information you provided, you are not a current employee. We recommend that if you know any employee currently working at the establishment that you speak to them, confirm that these hazards are present, and have the current employee file a complaint concerning the hazards at the workplace. That will allow us to consider the complaint. Thank you for your concern about the safety and health of workers at this establishment.

Sincerely,

(Name)

(Name)

(Title)

(Signers initials in capital letters):(person preparing letter initials – lower case)

February 4, 2020

Complaint Processing

EMPLOYEE DISCRIMINATION LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division (GISHD) or Construction Safety and Health Division (CSHD)], reviewed your report of alleged hazards against (Company Name). There are no MIOSHA safety or health standards to address the issues mentioned in your complaint. Therefore, an inspection will not be conducted at this time.

If an employee feels his or her rights have been violated under the Michigan Occupational Safety and Health Act, the employee may file a discrimination complaint with the Employee Discrimination Section within 30 days of the date of alleged discrimination. Some portion(s) of your complaint may fall within their jurisdiction and therefore, your complaint has been forwarded to that section for review. If you have any questions, they may be contacted at:

MIOSHA Employee Discrimination Section
Cadillac Place
3026 W. Grand Blvd., 9th Floor Ste. 450
Detroit, MI 48202
(313) 456-3109

For more information on MIOSHA, please visit our website at www.michigan.gov/miosha.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

February 4, 2020

Complaint Processing

INDOOR AIR QUALITY (IAQ) LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name} regarding indoor air quality (IAQ). The agency does not have an IAQ standard that addresses the problems experienced by workers in offices and non-manufacturing work environments. Therefore, we will not conduct an on-site investigation.

However, improperly designed, serviced and/or maintained heating/ventilation/air conditioning (HVAC) and/or building systems can cause employee discomfort and/or health symptoms. We have contacted the employer about this situation, provided them a list of recommendations, and asked that they do a survey of their HVAC and building system(s). A copy of the letter sent to the employer and its attachments are enclosed.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising his or her rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section within 30 days of the alleged discriminatory action. To contact the MIOSHA Employee Discrimination Section, please call (313) 456-3109.

Section 28(4) of Act 154 of the Public Acts of 1974, provides for a complainant to be able to request an informal review of this decision. A request for an informal review should be submitted in writing to the [insert General Industry Safety and Health Division or Construction Safety and Health Division] within 15 working days of the date of this letter. If you have any questions, please contact our office at {phone}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosures: Letter to employer and attachments

February 4, 2020

Complaint Processing

INDOOR AIR QUALITY (IAQ) MOLD LETTER – TO EMPLOYER

{Date}

Complaint #

{Est Name}

{Est address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], received a complaint regarding inadequate indoor air quality (IAQ) at your establishment. A list of the alleged hazard(s) is below:

1. {Enter specific IAQ issues}

Because the agency does not have a specific standard which addresses IAQ problems, we will not be conducting an on-site investigation. However, exposure to bacterial/fungal growth can cause employee discomfort and/or symptoms of illness. We therefore ask that you investigate and address any problems that may be identified. Attached is a list of recommendations, which should help in conducting your investigation. In addition, www.epa.gov/iaq is a very beneficial website containing useful information.

We ask that you post a copy of this letter and a copy of the enclosed IAQ recommendations where they are accessible to employees until you have completed the HVAC evaluation. A copy of this letter will be provided to the complainant.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising his or her rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section within 30 days of the alleged discriminatory action. To contact the MIOSHA Employee Discrimination Section, please call (313) 456-3109.

If you have any questions, please contact me at [insert phone number].

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials-lower case}

Enclosures: Recommendations for Addressing Indoor Air Quality (IAQ) Problems
Six Steps to a Healthy Indoor Environment

February 4, 2020

Complaint Processing

INDOOR AIR QUALITY (IAQ) VENTILATION LETTER – TO EMPLOYER

{Date}

Complaint # {complaint #}

{Name}

{Company Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], received a complaint regarding inadequate indoor air quality (IAQ) at your establishment. The complaint issues are:

1. {Enter specific IAQ issues}

Because we do not have a specific standard that addresses IAQ problems, we will not be conducting an on-site investigation. However, improperly designed, serviced and/or maintained heating/ventilation/air conditioning (HVAC) and building structural system(s) can cause employee discomfort and/or health symptoms. We therefore ask that you investigate your HVAC and building structural system(s) and address any problems that may be identified. Enclosed is a list of recommendations, which should help in conducting your HVAC and building structural survey. In addition, www.epa.gov/iaq is a very beneficial website containing useful information.

We ask that you post a copy of this letter and a copy of the enclosed IAQ recommendations where they are accessible to employees until you have completed the HVAC evaluation. (A copy of this letter will be provided to the complainant.)

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising his or her rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section within 30 days of the alleged discriminatory action. To contact the MIOSHA Employee Discrimination Section, please call (313) 456-3109.

If you have any questions, please contact me at {telephone #}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosures: Recommendations for Addressing Indoor Air Quality (IAQ) Problems
Six Steps to a Healthy Indoor Environment

MORE INFO LETTER – TO COMPLAINANT

«Date»

Complaint#: «Complaint_Nbr»

«Mr_Ms» «Complainant_First_Name» «Complainant_Last_Name»

«Complainant_Address»

«Complainant_City_State» «Complainant_ZIP_Code»

Dear «Mr_Ms» «Complainant_Last_Name»:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against «Establishment_Name».

So that we may better understand the allegations in your complaint, we are requesting a more detailed description of the hazard. Specifically, can you please provide us the following information? {Additional information that MIOSHA is requesting.} This information will help us to properly process your complaint and determine the appropriate course of action. We look forward to your response.

Your concern about occupational safety and health conditions at this establishment is appreciated.

If you have any questions, please contact me at {insert phone number}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosure: Complaint Form

NO JURISDICTION LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint}

{Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division (GISHD) or Construction Safety and Health Division (CSHD)], reviewed your report of alleged hazards against {Company Name}.

The hazard(s) alleged in your complaint do not fall within [insert GISHD's or CSHD's] jurisdiction. You may wish to contact {other agency} to address your concern(s). They may be contacted at:

{Agency name}

{Agency address}

{Agency city, state, zip}

{Agency telephone number}

{Agency web site}

Your interest in workplace safety and health is appreciated.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials—lower case}

MIOSHA-COM-17-1R2

February 4, 2020

Complaint Processing

NO VIOLATION LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name}.

The alleged conditions mentioned in your complaint to this agency do not appear to violate MIOSHA safety and health standards. Thus, this agency will not conduct an investigation based on your complaint.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

February 4, 2020

Complaint Processing

OSHA JURISDICTION LETTER – TO COMPLAINANT

«Date»

Complaint#: «SO_Nbr__Insp_Nbr»

«Mr_Ms» «First_Name» «Last_Name»

«Address»

«City__State» «ZIP_Code»

Dear «Mr_Ms» «Last_Name»:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division] reviewed your report of alleged hazards against «Company_Name».

The issues mentioned in your complaint do not fall within MIOSHA's jurisdiction. It involves conditions covered by U.S. Department of Labor; therefore, your complaint has been forwarded to that agency. If you have any questions, they may be contacted at:

U.S. Department of Labor
Occupational Safety and Health Administration
1310 West Clairemont Avenue
Eau Claire, WI 54701
715-832-9019
www.osha.gov

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

February 4, 2020

Complaint Processing

PRISONER LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name}.

The Attorney General has issued an opinion that prisoners are not employees and therefore are not covered under the Michigan Occupational Safety and Health Act, Act 154, P.A. 1974, as amended. Therefore, we cannot assist you with the issues you have raised. However, if your complaint concerns a State of Michigan prison or county operated jail, you can contact the Michigan Department of Corrections, Environmental Affairs, P. O. Box 30003, Lansing, MI 48909.

You may find helpful information by contacting a prisoner advocate with American Friends Service Committee at www.PrisonerAdvocacy.org. They can also be reached at The American Friends Service Committee Michigan Criminal Justice Program, 124 Pearl Street, Suite 607, Ypsilanti, MI 48197, 734-761-8283.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

RECENT INSPECTION ISSUES LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name}. The firm was recently investigated. It has been determined that there are not reasonable grounds for conducting another inspection at this time. This determination has been made for the following reason(s):

1. {State reasons.}

Section 28(4) of Act 154 of the Public Acts of 1974, provides for a complainant to be able to request an informal review of this decision. If you have any question, please contact our office at {phone}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

MIOSHA-COM-17-1R2

February 4, 2020

Complaint Processing

SIMILAR CURRENT INVESTIGATION LETTER – TO COMPLAINANT

{Date}

Complaint #

{Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name}.

The firm is already being inspected by this agency. Upon completion of our investigation, a copy of the completed report will be sent to you.

Thank you for your concern in this matter.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

February 4, 2020

Complaint Processing

SIX-MONTH LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name}.

The reported incident happened over six months ago, therefore, we will not be conducting an investigation at this time. If the conditions still exist, we could investigate if a current employee of the firm completes the enclosed complaint form.

If you have any questions, please contact me at {phone}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosure: Complaint Form

February 4, 2020

Complaint Processing

TOBACCO LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name} concerning exposure to secondary tobacco smoke. Our primary authority for conducting compliance activities is based upon standards. MIOSHA does not have standards addressing tobacco smoke in the work place.

Concern for the hazards of secondhand smoke and other findings brought about the passage of Michigan's Dr. Ron Davis Smoke Free Air Law that took effect May 1, 2010. Its intent is to promote and protect health through reducing exposure to secondhand smoke. If you need any further information, please contact the Michigan Department of Health and Human Services, Tobacco Section at (517) 335-8376.

If we can be of further assistance, please contact us at [insert phone number].

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosure: Complaint Form

WAGE HOUR LETTER – TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division (GISHD) or Construction Safety and Health Division (CSHD)], reviewed your report of alleged hazards against {Company Name}. The issues mentioned in your complaint do not fall within [insert GISHD's or CSHD's] jurisdiction.

Your complaint has been forwarded to the Bureau of Employment Relations, Wage and Hour Division for review. The Wage and Hour Division administers and enforces wage protection laws in Michigan (the Payment of Wages and Fringe Benefits Act, the Workforce Opportunity Wage Act, and the Prevailing Wage on State Funded Construction Projects Act). The division investigates complaints alleging non-payment of wages and fringe benefits, state minimum wage, overtime, equal pay, and prevailing wage disputes. They also educate employers and employees in the areas covered by these labor standards.

If you have any questions, please contact the Wage and Hour Division at:

P. O. Box 30476

Lansing, MI 48909-7976

Tel: 855-464-9243

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Appendix C

These attachments should be sent to the employer with any IAQ letter.

Attachment – A Recommendations for Addressing Indoor Air Quality (IAQ) Problems

1. Discuss with employees to determine what the problem is and respond accordingly.
2. If airborne contaminants are suspected, conduct a ventilation survey to determine the volume of outside air that is being added to the building circulated air. The American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) recommends a minimum of 20 cubic feet per minute (cfm) of fresh outdoor air be added to the building circulated air, per building occupant, for standard office space.
3. Areas may be monitored for carbon dioxide (CO₂) which is produced by human respiration. Levels greater than 1,000 parts per million (ppm) would indicate a need for additional fresh air according to ASHRAE guidelines. The enforceable Michigan Occupational Safety and Health Administration (MIOSHA) permissible exposure limit (PEL) for CO₂ is 10,000 ppm.
4. Inspect the ventilation system to assure that moisture is not leaking into or being trapped in any part of the system. Warm, moist conditions in ventilation systems can cause bacterial/fungal growth. When warm air is drawn across cooling condensers, moisture is produced that is typically captured in a drip pan and piped to a floor drain. Assure that drip pans are cleaned periodically and are pitched properly for good drain off. Assure that drain pipes are not clogged, and that they are properly trapped to prevent sewer gases from being drawn into the system. An outside firm may be contracted when necessary to clean the inside of ventilation ductwork.
5. Thoroughly dry or remove wet building materials when necessary, to prevent microbial growth. Repair roof leaks, thoroughly disinfect flooded areas, and in general prevent warm wet conditions that promote microbial growth.
6. An outside firm may be contacted to monitor for microbial contamination. Currently, MIOSHA does not have the ability to monitor for microbial contaminants.
7. Investigate to assure that fresh air intakes are not located where contaminants can be drawn into the building.
8. Ensure that all ventilation system components (e.g.; fans, pulleys, belts, motors, and dampers) are periodically inspected and maintained to assure proper operation.
9. Ensure that all system filters are periodically inspected and maintained.
10. It is suggested that temperature and humidity be maintained in the following ranges:

Acceptable ranges of temperature and humidity during summer and winter ¹		
Relative Humidity	Winter	Summer
30%	68.5° F - 76.0° F	74.0° F - 80.0° F
40%	68.5° F - 75.5° F	73.5° F - 79.5° F
50% ²	68.5 °F - 74.5° F	73.0° F - 79.0° F

¹Applies for person clothed in typical summer and winter clothing, at light, mainly sedentary activity.

²Humidities greater than 50% are considered unacceptable because of the potential for microbial growth.

SOURCE: ASHRAE (1981)

Attachment - B
Six Steps to a Healthy Indoor Environment

- Step 1: Set up a program to prevent indoor air quality (IAQ) problems. Prevention means making sure mechanical systems are functioning properly and providing adequate ventilation to all areas of the building. Also make sure that mechanical systems are properly cleaned and maintained.
- Step 2: On a regular basis, inspect the building for water leaks and remove standing water from condensation pans of heating, ventilation, and air conditioning (HVAC) systems. Excessive moisture in ducts, especially if they are lined with fiberglass, provides an environment conducive to mold growth that may spread throughout the mechanical system. Installing high efficiency filters can help reduce the level of mold spores and allergens in a building.
- Step 3: Where mold is discovered, treat the mold growth by removing the mold and treating the surface with a biocide. Removing water damaged building materials such as ceiling tiles and carpets may also be required since they are difficult to clean.
- Step 4: Train maintenance personnel. Building maintenance personnel should receive training on how to maintain IAQ. On a regularly scheduled basis, they should take ventilation measurements and check temperature, carbon dioxide, and humidity levels throughout the building to make sure they are within acceptable levels.
- Step 5: Take complaints seriously. Some building managers may dismiss complaints about IAQ when only one person complains. However, everyone is different and a substance or toxin that affects one person may not affect others. Cases have shown that ignoring IAQ complaints can lead to more severe and costly IAQ problems.
- Step 6: Ventilate areas following renovation projects. Paints, carpets, adhesives, pressed wood products, and furnishings can increase the levels of volatile organic compounds in the air for an extended period of time. Prior to occupancy, thoroughly ventilate the renovation area with fresh outside air for three to four days. When areas cannot be evacuated during renovation, conduct activities that produce contaminants (e.g., painting) during off hours when feasible and provide fresh air ventilation.

Appendix D

Notice of Alleged Safety or Health Hazards

Complaint Number

Establishment Name

Site Address

Site Phone

Site FAX

Mailing Address

Mail Phone

Mail FAX

Management Official

Telephone

Type of Business

Primary SIC

Primary NAICS

HAZARD DESCRIPTION/LOCATION. Describe briefly the hazard(s) which you believe exist. Include the approximate number of employees exposed to or threatened by each hazard. Specify the particular building or worksite where the alleged violation exists.

Appendix E

ON-SITE COMPLAINT INSPECTION – CLOSING LETTER TO COMPLAINANT

{Date}

{Name}

{Address}

{Address}

Dear {Name}:

RE: Complaint #{insert complaint #} at {insert name of establishment}

On {insert opening conference date} the {Construction Safety and Health Division or General Industry Safety and Health Division} opened an inspection in response to your complaint concerning occupational safety and health. A copy of the inspection results that were given to the establishment are enclosed for your review. If no citations were issued, the items listed in your complaint were not found to be violations of Michigan Occupational Safety and Health Administration (MIOSHA) regulations at the time of the inspection.

You have the right to request an informal review of our findings, including any determination not to issue citations. Section 28(4) of Act 154 provides for a complainant to be able to request an informal review of a MIOSHA decision concerning a complaint. A request for an informal review should be submitted in writing to the MIOSHA {insert Construction Safety and Health Division or General Industry Safety and Health Division} within 15 working days of the date of this letter. The request must explain the alleged violations contained in your original complaint that will be the subject of the informal review. Upon completion of the informal review, you will receive a written notification of the final disposition of your complaint and reasons therefore.

You can request a copy of the inspection file by making a Freedom of Information Act (FOIA) request at MIOSHAFOIARequest@michigan.gov or the address below:

Mailing Address:

State of Michigan
Department of Labor and Economic Opportunity (LEO)
Michigan Occupational Safety and Health Administration (MIOSHA)
Mason Building
530 West Allegan Street
P.O. Box 30649
Lansing, MI 48909

MIOSHA-COM-17-1R2

February 4, 2020

Complaint Processing

Fax: (517) 284-7735

If you have any questions about FOIA, please call (517) 284-7740.

Thank you for your interest in improving the working conditions at this place of employment. If you have questions, comments, or concerns about the inspection findings, feel free to call me at {insert division phone number}.

Sincerely,

{Signature}

{Signature}

{Title}

{Initials:preparer initials}

Enclosure: Results for inspection # {insert inspection number}

Appendix F

LETTER COMPLAINT INSPECTION – LETTER TO COMPLAINANT

{Date}

Complaint#: «SO_Nbr__Insp_Nbr»

{Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration (MIOSHA), {insert Construction Safety and Health Division or General Industry Safety and Health Division} has recently reviewed your report of alleged hazards against {Company name}. We have notified the company of the allegations. We have requested that the employer investigate the issue(s), take corrective action where necessary, and provide documentation to MIOSHA that no safety or health hazards exist. Enclosed is a copy of that letter for your records.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising his or her rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section within 30 days of the alleged discriminatory action. To contact the MIOSHA Employee Discrimination Section, please call (313) 456-3109.

If you have any further questions, please contact me at {insert phone number}.

Sincerely,

Signature

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosure: Letter to company

LETTER COMPLAINT INSPECTION – INITIAL LETTER TO ESTABLISHMENT

{Date}

Complaint #

{Name}

{Address}

{Address}

Dear {Name}:

On {Date} the Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], received a complaint alleging safety and/or health hazards at your worksite located at:

{Address}

{Address}

A list of the specific nature of the alleged hazard(s) is as follows:

1.

We have not determined whether the hazards, as alleged, exist at your workplace; we do not intend to conduct an on-site inspection at this time. However, you are requested to investigate the alleged conditions and make any necessary corrections or modifications within 30 calendar days of the date of this letter. Please advise me in writing of the results of your on-site investigation and provide any supporting documentation of your findings. Include any applicable measurements or monitoring results, as well as a description of any corrective action you have taken or are in the process of taking, including photographs of the corrected condition. Also, please provide me with a contact person's name and contact information in case I have further questions.

This letter is not a citation or a notification of proposed penalty. If you provide this information, we will probably not need to conduct an on-site investigation. If we do not receive a response from you within 30 calendar days indicating that appropriate action has been taken or that no hazard exists and why, an on-site inspection may be conducted.

Please note, however, that MIOSHA selects for on-site inspection a random sample of cases where we have received letters in which employers have indicated satisfactory corrective action. This policy has been established to ensure that employers have actually taken the action asserted in their letters. Any action taken by you in this matter will not automatically remove your workplace from the possibility of an unannounced on-site inspection by duly authorized representatives of MIOSHA in accordance with routine scheduling procedures currently in effect.

February 4, 2020

Complaint Processing

You are requested to post a copy of this letter and your response to it where they will be readily accessible for review by all of your employees until MIOSHA deems the case closed.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising his or her rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section. The complainant has been informed of their discrimination rights under Act 154.

In addition to its function of inspecting workplaces, MIOSHA offers a wide range of safety and health related services in response to the needs of the working public, both employers and employees. These services include training and education, consultation, voluntary compliance programs, and assistance in correcting hazards.

The MIOSHA Consultation Education and Training (CET) Division offers programs and services without charge to assist you in resolving occupational safety and health issues. Consultations may be available through telephone, email, or in some cases through an on-site visit. The CET Division has free publications, a free video-loan library, and sample written programs, which are available on the MIOSHA web page located at www.michigan.gov/cet. To discuss or request CET services, call (517) 284-7720.

If you have any questions concerning this matter, please contact me at (insert telephone number). Your personal support and interest in the safety and health of your employees is appreciated.

Sincerely,

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

LETTER COMPLAINT INSPECTION – CLOSING LETTER TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

Dear {Name}:

We have received the employer's response regarding your complaint. We consider the response to be satisfactory and do not plan to conduct an onsite inspection at this time. If you have questions or concerns about the investigation findings, feel free to call me at {phone}.

You can request a copy of the inspection file, including the employer's response, by making a Freedom of Information Act (FOIA) request at MIOSHAFOIARequest@michigan.gov or the address below:

Mailing Address

State of Michigan

Department of Labor and Economic Opportunity (LEO)

Michigan Occupational Safety and Health Administration (MIOSHA)

Mason Building

530 West Allegan Street

P.O. Box 30649

Lansing, MI 48909

Fax: (517) 284-7735

If you have any questions about FOIA, please call (517) 284-7740.

Section 28(4) of Act 154 provides for a complainant to be able to request an informal review of a MIOSHA decision concerning a complaint. A request for an informal review should be submitted in writing to the MIOSHA [insert General Industry Safety and Health Division or Construction Safety and Health Division] within 15 working days of the date of this letter. The request must explain the alleged violations contained in your original complaint that will be the subject of the informal review. Upon completion of the informal review, you will receive written notification of the final disposition of your complaint and reasons therefore.

Thank you for your interest in improving the working conditions at this place of employment.

MIOSHA-COM-17-1R2

February 4, 2020

Complaint Processing

Sincerely,

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

LETTER COMPLAINT INSPECTION – CLOSING LETTER TO ESTABLISHMENT

{Date}

Complaint# {complaint}

{Name}

{Company}

{Address}

{Address}

Dear {Name}:

We have reviewed your response to our {LI to Co Date} letter regarding alleged hazardous working conditions. Your response has been determined to be satisfactory. This complaint is considered closed. Our {LI to Co Date} letter and your response may be removed from their posting locations. Thank you for your efforts to resolve this matter.

Sincerely,

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials-lower case}

February 4, 2020

Complaint Processing

LETTER COMPLAINT INSPECTION – FINAL NOTICE LETTER TO ESTABLISHMENT

{Date}

Complaint # {Complaint#}

FINAL NOTICE

{Name}

{Company Name}

{Address}

{Address}

Dear {Name}:

On {LI to Co Date}, this office sent you a letter concerning alleged occupational safety and health hazards at your establishment. A copy of the letter is enclosed.

We have not received a reply from you concerning these allegations. Please advise this office of your findings and of any corrective action you have taken within 30 days. If we do not hear from you, an on-site inspection may be scheduled.

MIOSHA selects for on-site inspection a random sample of cases where we have received letters in which employers have indicated satisfactory corrective action. This policy has been established to ensure that employers have actually taken the action asserted in their letter.

Your cooperation in this matter is appreciated.

Sincerely,

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosure: Letter dated {LI to Co Date}

Appendix G

TELEPHONE INSPECTION – LETTER TO ESTABLISHMENT

{Date}

{Name}

{Address}

{Address}

Dear {Name}:

RE: COMPLAINT #

On {Date}, the Michigan Occupation Safety and Health Administration, [insert General Industry Safety and Health Division or Construction Safety and Health Division], received a notice of safety and/or health hazards at your worksite located at:

{Site Address}

{Site Address}

The specific nature of the alleged hazards is as follows:

1. {Enter complaint issues here}

During our telephone conversation on {date}, you indicated the following:

1. {Enter corrective action here}

Based on your satisfactory response, an investigation to determine compliance with MIOSHA is not necessary at this time. However, you are requested to post a copy of this letter and your response to it where they will be readily accessible for review by all of your employees for ten business days. A copy of this determination is being sent to the person making the report.

In addition to its function of inspecting workplaces, MIOSHA offers a wide range of safety and health related services in response to the needs of the working public, both employers and employees. These services include training and education, consultation, voluntary compliance programs, and assistance in correcting hazards.

The MIOSHA Consultation Education and Training (CET) Division offers programs and services without charge to assist you in resolving occupational safety and health issues. Consultations may be available through telephone, email, or in some cases through an on-site visit. The CET Division has free publications, a free video-loan library, and sample written programs, which are available on the

MIOSHA-COM-17-1R2

February 4, 2020

Complaint Processing

MIOSHA web page located at www.michigan.gov/cet. To discuss or request CET services, call (517) 284-7720.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising his or her rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, the employee may file a complaint with the MIOSHA Employee Discrimination Section. The complainant has been informed of their discrimination rights under Act 154.

If you have any questions concerning this matter, please contact me at {phone}. Your personal support and interest in the safety and health of your employees is appreciated.

Sincerely,

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

TELEPHONE INSPECTION – LETTER TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

Dear {Name}:

The Michigan Occupational Safety and Health Administration, [insert General Industry Safety and Health Division or Construction Safety and Health Division], reviewed your report of alleged hazards against {Company Name}. We notified the company of the allegations by telephone. We requested that the employer investigate the issue(s) and take corrective action where necessary. We consider the response to be satisfactory and do not plan to conduct an on-site inspection at this time. A copy of our follow-up letter is enclosed.

Section 65 of Act 154, the Michigan Occupational Safety and Health Act, states that an employer shall not discriminate against an employee for exercising his or her rights under Act 154. If an employee believes that he or she was discharged or otherwise discriminated against as a result of filing a complaint, he or she may file a complaint with the MIOSHA Employee Discrimination Section. To contact the MIOSHA Employee Discrimination Section, please contact (313) 456-3109.

If you have any further questions, please contact me at {phone}.

Sincerely,

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}

Enclosure: Letter to company

Appendix H

COMPLAINT WITHDRAWAL – LETTER TO COMPLAINANT

{Date}

Complaint # {complaint #}

{Name}

{Address}

{Address}

Dear {Name}:

RE: {Company Name}

The Michigan Occupational Safety and Health Administration (MIOSHA), [insert General Industry Safety and Health Division or Construction Safety and Health Division], received your notification of intent to withdraw your complaint # {number}, against {company name}.

Your complaint has been withdrawn from the MIOSHA complaint processing system. If we can be of service in the future, please feel free to call MIOSHA at {telephone #}.

Sincerely,

{Name}

{Name}

{Title}

{Signers initials in capital letters}:{person preparing letter initials – lower case}